

Agricultural Marketing Service, Fruit and Vegetable Program

Fruit and Vegetable Industry Advisory Committee

## **MEMBERSHIP BALANCE PLAN**

1. Committee's Official Designation

Fruit and Vegetable Industry Advisory Committee

2. Authority

Departmental Regulation 1042-19, in accordance with provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.

3. Objectives and Scope of Activities

The Fruit and Vegetable Industry Advisory Committee (Committee) examines the full spectrum of fruit and vegetable issues and provides recommendations and ideas to the Secretary on how the U.S. Department of Agriculture (USDA) can tailor programs to better meet the needs of the U.S. produce industry. The Committee reports to the Secretary of Agriculture through the Under Secretary for Marketing and Regulatory Programs.

4. Points of View Needed for the Committee

From industry nominations, the Secretary of Agriculture appoints up to 25 members representing: fruit and vegetable growers/shippers; fruit and vegetable wholesalers/receivers; brokers; retailers; fruit and vegetable processors and fresh-cut processors; foodservice suppliers; organic and non-organic farmers; farmers markets and community-supported agricultural organizations; state agriculture departments; and trade associations. Appointments are based on each individual's role and experience in the industry, as well as their race, gender, age, and other traits and perspectives that contribute to the Committee's dialogue and collective expertise.

USDA makes every effort to ensure that the membership of this Committee is balanced, nevertheless, USDA recognizes that membership may change, depending on the work of the Committee and the individuals from which to choose from industry nominations.

## 5. Other Balance Factors

Efforts are made to provide a balance of points of view from a range of agricultural interests, as well as to appoint members from multiple regions of the United States.

USDA follows equal opportunity practices in accordance with policies in all appointments to the Committee. To ensure that the Committee's recommendations have taken into account the needs of the diverse groups served by USDA, membership includes, to the extent possible, individuals with demonstrated ability to represent minorities, women and persons with disabilities.

USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

## 6. Quorum Requirements – Attendance and Decisive Votes

Every effort is made to find meeting dates at which all or nearly all, members are able to attend. If some members are absent, dates are chosen so that broad interest groups are always represented at each meeting. Lack of attendance has never been an issue at plenary sessions.

Decisive votes— an absolute majority (meaning two-thirds) of the votes cast at a meeting of the full Committee at which a quorum is present shall be decisive of any motion. Following Robert's Rules of Order, all abstentions will be recorded as such and will not be included as part of the total vote cast. Similarly, all Committee members who recuse themselves due to conflicts of interest, or are absent, shall be recorded as such and their votes will not be counted towards the total number of votes cast. Both abstentions and recusals will be considered in order to establish a quorum. This is in the interest of all special or dissenting groups to ensure that one group of similar size and interest cannot force or overrule those interests of other individuals or groups not in agreement. Therefore, a vote of 50 percent plus 1 would not ensure a fair vote, but a two-thirds voting majority would be sufficient.

## 7. Candidate Identification Process

Candidates identify themselves by responding to a notice that USDA publishes in the Federal Register. Candidates may also be nominated by

their industry peers, by their local elected officials or by a trade association. USDA support staff conducts outreach, especially to traditionally underrepresented groups and regions of the United States, to ensure broad awareness of the opportunity to participate and to help foster a cadre of nominees who represent a balanced cross-section of U.S. agriculture.

The Agricultural Marketing Service's (AMS) Administrator and the Deputy Administrator for the Fruit and Vegetable Program lead in the effort to administer this Committee's activities. The Under Secretary for Marketing and Regulatory Programs fulfills the important role of reviewing and recommending appointments to the Secretary from industry nominations. A marketing specialist on the Deputy Administrator's staff fulfills the role of the Committee's Designated Federal Official, managing and coordinating meetings, and being a point-of-contact for Committee members and the public.

If vacancies exist when the Committee is established, the Committee continues meeting and developing recommendations for the Secretary's consideration. USDA's support staff works to fill those vacancies during the ensuing two-year nomination cycle. Members are limited to serving no more than six consecutive years on the Committee.

Once candidates have been identified, their names and background data are submitted to the USDA White House Liaison's office for vetting. The vetting process includes a background check to determine if any of the candidates have a conflict of interest that would prohibit them from serving on the Committee due to criminal or ethical violations. USDA support staff also uses the nominees' completed background forms to determine each individual's good standing under the Perishable Agricultural Commodities Act, and, where applicable, through USDA-supervised marketing order committees and promotion boards.

#### 8. Subcommittee Balance

With the DFO's approval, workgroups to research specific matters and bring information back to the full Committee for consideration and debate may be form of a representative group of Committee members. Recommendations for the Secretary's consideration may only be provided by the full Committee. Workgroups are normally made up of individuals who have extensive experience or interest in the matter at hand.

#### 9. Other

n/a

10. Date Prepared or Updated

April 28, 2015